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From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

24 March 1988

COMMUNITY CHARGE: ATTACHMENT OF BENEFIT

I have seen the exchange of correspondence between you and John Moore on this subject.

John is right that our decision in E(LF) was that all community charge defaulters should be treated alike, whatever their source of income. As he says, the logic of this is that deduction of benefit should be by means of a Court Order in the same way as attachment of earnings. We should not do anything that would be seen as discriminating against income support claimants.

It is certainly important that we should decide how best to establish the priority of community charge arrears over other deductions from benefit. However, your proposal that it should be possible to raise the total deductions that can be made from benefit to 20% to cover community charge arrears is open to challenge on the grounds that it would not leave claimants enough to live on.

I think, however, that attachment of benefit by means of a Court Order would go a long way to meeting your concern on this issue. I am aware that if deductions were already being made to the maximum amount which a court thought reasonable, it would refuse to make an Order; but I understand that once an Order was made, it would have priority over deductions made by other means.

I am sending a copy of this letter to the Lord Chancellor, other members of E(LF) and Sir Robin Butler.

The Rt Hon Nicholas Ridley MP
Secretary of State for the Environment

LOCAL GOVT : Rating PTA.